

FORM JMD-449A  
MAR. 90

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10 UNITED STATES DISTRICT COURT  
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
12 SOUTHERN DIVISION

13 UNITED STATES OF AMERICA, ) SA CR 96-00055(C) -AHS  
14 Plaintiff, )  
15 v. ) GOVERNMENT'S EX PARTE APPLICATION  
16 RICARDO H. ASCH, ) FOR AN ORDER RE-ISSUING ARREST  
17 Defendant. ) WARRANT NUNC PRO TUNC  
18 )  
19 )

20 The government hereby applies ex parte for an order re-  
21 issuing an arrest warrant in this matter for defendant Ricardo H.  
22 Asch nunc pro tunc. This ex parte application is based on the

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1 attached declaration of Assistant United States Attorney Douglas  
2 F. McCormick.

3 DATED: November 30, 2010 Respectfully submitted,

4 ANDRÉ BIROTTE JR.  
5 United States Attorney

6 DENNISE D. WILLET  
7 Assistant United States Attorney  
8 Chief, Santa Ana Branch Office

9 /s/

10 DOUGLAS F. MCCORMICK  
11 Assistant United States Attorney  
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DECLARATION OF DOUGLAS F. McCORMICK

I, Douglas F. McCormick, declare as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Central District of California. I am currently assigned to the above-captioned matter.

2. The United States is currently seeking the extradition of defendant Ricardo H. Asch from Mexico to face the charges in this matter and two related matters (Case Nos. SA CR 97-74-AHS and SA CR 97-75-AHS). As part of its preparation of extradition papers to be submitted to the government of Mexico, my office has been asked to obtain certified copies of the original arrest warrant in this matter.

3. I am informed that the Court does not have a valid arrest warrant issued in this matter because the arrest warrant issued on June 18, 1997 was returned "unexecuted," as reflected in the court's docket dated February 19, 1998. I know of no explanation for this action. Based on my review of the file in this matter, Asch has at all time been a wanted fugitive and remains a fugitive to this day. In fact the government sought, unsuccessfully, the extradition of Asch from Argentina in 2004, and at that time submitted a certified copy of the June 18, 1997 arrest warrant.

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